SARA KING-FLITTON DEPO TRANSCRIPT EXCERPTS

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH, NORTHERN DIVISION

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SARA KING-FLITTON, Plaintiff, vs. DAVIS SCHOOL DISTRICT and BECKY BOUVANG, Defendants.	Civil No. 1:14-CV-00097-DAK Deposition of: **SARA KING-FLITTON**

August 25, 2016
9:00 a.m.

LOCATION:
Utah Attorney General's Office
160 East 300 South, Sixth Floor
Salt Lake City, UT 84114-0856

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Karen Christensen
- Registered Merit Reporter -
- Registered Professional Reporter -

folks not to hire you. Is that what I'm understanding here?

A. (Nods head.)

Q. That's what you have concluded, right?

A. Um-humm.

Q. Now, is that a --

MR. HUTCHINS: That's a yes?

THE WITNESS: Yes.

Q. **(BY MR. GARNER)** Thanks a lot.

Now, is there any other reason why you've concluded that Ms. Bouvang stepped in and stopped this employment of yours? Is there any other reason that you might be aware of, other than what you've already told me?

A. It's, again, gossip of teachers and secretaries --

Q. Sure.

A. -- and things that let me know that she was aware who had made the complaints and was not the kindest towards the ones who were already at the school. And, again, probably -- I don't want to say "probably," but --

Q. It's okay.

A. -- but played a part in my not returning.

Q. Okay. And other than the names you've already given me, do you have any other people or names

A. 2011/2012 time.

Q. Okay.

A. The same year I made the complaint, so 2011.

Q. So this was part of the complaint you made?

A. Correct.

Q. And who did you make that complaint to?

A. Mrs. King, the secretary.

Q. And why would you make a complaint like that to your mom?

A. Because she was the secretary and my mom. She was easy to talk to.

Q. She's your mom, she loves you.

A. But as far as rank goes, I figured that that was the next person to speak to about office behavior and inappropriateness. I didn't want to go to Ms. Bouvang, so...

Q. Did you ever talk to the human resources director?

A. I didn't know the school even had one.

MR. GARNER: Let me make this Exhibit 2.

(Deposition Exhibit No. 2 was marked for identification.)

Q. **(BY MR. GARNER)** Sara, I'm handing you what's Exhibit 2. Do you recognize that?

A. No.

Q. You never received that that you recall?
A. Not that I recall.
Q. Okay. This purports to be a letter to you; is that right?
A. Um-humm, yes.
Q. Who is it from?
A. Becky Williams.
Q. And what is Becky Williams' title?
A. Director of human resources.
Q. And did you know Becky Williams?
A. I knew of her. I do know that the secretary took several complaints and took them somewhere. I'm not sure where, so maybe to Becky.
Q. The secretary. And who is the secretary you're talking about?
A. Cindy King.
Q. Your mom?
A. Correct.
Q. And so you personally never talked to -- what is her name, again?
A. Becky Williams.
Q. -- Becky Williams?
A. No.
Q. Okay. Did you -- do you recall telling your mom whether or not to talk to Becky Williams?

A. I gave her permission to talk to who she needed to or give the information to who was appropriate.

Q. Okay. So just let me -- this is -- Exhibit 2 is a letter dated January 11th, 2012. It's addressed to Sara. It's from Becky Williams, who is the human resources director.

Now, does that refresh your memory about who was the human resources director at the District?

A. Again, I don't -- didn't remember that there was a human resources, so "refresh" is probably not the term I would use.

Q. Fair enough. Fair enough. So even right now, you're not sure that the District even had a human resources director?

A. Correct. Well, I had assumed they'd had one, but I did not know, no.

Q. You didn't know who it was?

A. Now, looking back, that makes sense.

Q. Okay. And you never talked to her --

A. To the best of my knowledge.

Q. -- about your complaints? You never talked to Becky Williams?

A. Correct.

Q. Okay. Let's see. So reading paragraph 12 -- and you said that you talked to your mom about this

A. Yes.

MR. GARNER: Okay. Let me do an Exhibit 3 here.

(Deposition Exhibit No. 3 was marked for identification.)

Q. **(BY MR. GARNER)** I'm handing you what's Exhibit 3, which is the School District policy regarding sexual discrimination.

Have you ever seen this policy?

A. No, sir, hum-umm. No.

Q. Do you know if the policy was available to you?

A. It was never given to me or talked about.

Q. Do you know if it was on the website?

A. I don't know if it was there, no.

Q. When you suffered these incidents from Ms. Bouvang, did you ever think, I wonder if this school has a sexual discrimination policy, I wonder what it says?

A. I just assumed that they had.

Q. Okay.

A. Everybody does.

Q. Everybody does, right? It's pretty universal, right? That is a fair statement, it's probably universal?

MR. HUTCHINS: I'm going to object. Calls for speculation, lacks foundation, the form of the question. I don't know if she can speculate about everyone else's policy.

Q. **(BY MR. GARNER)** Let's take a look at this policy. In No. 1, it says, "Davis School District does not discriminate on the basis of race, color, religion, national original, or veteran status in its program or activities."

Do you see that there?

A. Yes.

Q. And your complaints had to do with some type of sexual discrimination; is that right?

A. Correct.

Q. Let's go over to 2.2, which is page 2 of 7, Sara. And it says in 2.2, quote, "Employment. Complaints alleging discriminatory conduct and employment practices on the basis of sex may be directed to the following compliance officer."

Do you see that?

A. I do.

Q. And who is the compliance officer that the policy would direct you to?

A. Becky Williams.

Q. And, again, I take it that you never talked to Becky Williams about this.

A. Not to my recollection.

Q. When you complained to your mom, did you tell her to bring this complaint to Becky Williams?

A. I never specified Becky Williams, but I did ask if she could take it to whoever was necessary, whoever the next step would be.

Q. Do you know if your mom ever did talk to Becky Williams about this?

A. I don't know if it was Becky Williams. I am aware that she spoke to someone, but I don't know who that was.

Q. So it's fair to say that you have no knowledge that your mom talked to Becky Williams --

A. Not --

Q. -- is that fair?

A. Not to Becky Williams.

Q. Okay.

A. I'm unaware. She may have or may not have. I'm just...

Q. You just don't know?

A. Correct.

Q. Fair enough. Did you ever make a written complaint about this?

A. I wrote it down to give to the secretary, along with a couple of other people who had incidences to complain about.

Q. What did you write down, as you recall, Sara?

A. Basically, the same thing that I have written in my statement of just the happenings.

Q. Is there anything you wrote down that we haven't already talked about?

A. To the best of my knowledge, mostly everything that we talked about, yes.

Q. Do you remember anything that you wrote down that we haven't talked about?

A. We just continued conversations. The one sex talk was the biggest, but there were several uncomfortable conversations, both inquiring into other people's sex life and her own, throughout that semester and school year.

Q. In addition to the one that we already talked about?

A. Correct, but I don't have...

Q. What were those? Just characterize those for me. What were those about?

A. I don't have dates or times or names for those but, again, inquiries as to if people were satisfied with their sex lives with their spouses; if they were single, if they were having sex, how far as you know?

A. Someone in the District, as far as I'm aware. But, again, I don't know names. I do know Kristi Frodsham was a part of that. I don't know if she was leading it or otherwise. Her name sounds familiar in that realm.

Q. How do you know Kristi was part of it?

A. Again, hearing her name. Again, she was part of the mediation. I know she was in and out of the office, talking with Becky a few times.

Q. At the time -- and I understand later on you understood Kristi was part of it. At the time, did you know Kristi was part of it, like when your mom said there's an investigation going on?

A. At the time, no.

Q. And the policy, again -- in 3.2.3 it says, "Complaints shall be reported as soon as possible but not later than 60 days after the incident."

And it also says, in 3.2.4, "Complaints are available through the District website or the designated compliance officer."

Did you ever get a complaint form that you filled out from the website or the designated compliance officer?

A. No, I did not fill out a form.

teachers, I had noticed that there was.

Q. Okay. So maybe to other teachers, but you, at that time -- this would have been the end of the 2012 --

A. Correct.

Q. -- school year?

A. Besides the not being hired back, I did not have a lot of contact with her at that point.

Q. So other than being not hired back, you didn't suffer any retaliation?

A. Correct.

Q. In paragraph 21 of your Complaint you say, "Nothing changed with her" -- "Bouvang's harassing conduct." What do you mean by that?

A. The conversations that I -- again, I didn't have much contact with her. I think both of us were trying to avoid one another at that point. But the conversations were not much different. I do know inappropriate touching was still going on with teachers and students.

Q. How did you know that?

A. Just watching, seeing.

Q. Let me go back.

When did you complain to your mom? About when was that?

A. The first time?
Q. Um-humm.
A. Spring of 2011.
Q. 2011. Thanks. Did you make other complaints to your mom?
A. Not -- those were the only times that I was physically touched by Bouvang so, no, I did not make an official complaints towards her.
Q. In paragraph 22 it says that, "Before Bouvang had been made aware of complaints, plaintiff spoke to Bouvang about the employment."
About when did that occur?
A. At the end of the school year time. I -- again, time line, I couldn't tell you for sure.
Q. But that would be about the end of 2012?
A. Correct. Well, 2012 school year.
Q. 2012. Yes. Thank you.
A. I had stopped her in her office -- or caught her in her office and asked her.
Q. What did you ask?
A. I was just asking since the school was moving to title one, if there would still be the reading specialists or teacher assistant positions still open, and she expressed to me that, yes, and that she would love to have me back and that they loved me there and she